

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

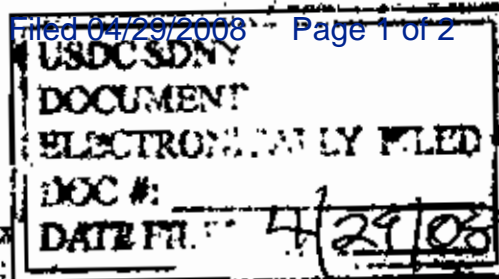
3RD DIMENSION INC.,

Plaintiff,

- against -

JEREMY DeBONET and SKYWARD MOBILE,
LLC,

Defendants.
-----X



INDEX NO. 07 civ. 9549 (NRB)

STIPULATION OF
DISMISSAL
WITHOUT PREJUDICE

WHEREAS Plaintiff, 3rd Dimension Inc. ("Plaintiff"), and Defendants Jeremy DeBonet and Skyward Mobile, LLC ("Defendants"), are currently engaged in an arbitration proceeding before the American Arbitration Association, Case #13-117-02256-07, which involve the claims asserted in the above-captioned litigation (the "Arbitration Proceeding");

IT IS HEREBY STIPULATED by and between Plaintiff and Defendants, through their attorneys, that the Complaint filed in the above-captioned litigation and all claims asserted therein shall be dismissed without prejudice, pursuant to Rule 41(a) of the Federal Rules of Civil Procedure.

IT IS HEREBY FURTHER STIPULATED that this Court shall retain jurisdiction to enforce the terms of any arbitration award issued by the Arbitrator in the Arbitration Proceeding or to enforce any settlement agreement that may be reached by the parties.

IT IS SO STIPULATED.

DEFENDANTS:

JEREMY DeBONET

Dated: 4/21/08

Print Name: Jeremy B. DeBonet, Counsel

SKYWARD MOBILE, LLC

Dated: 4/21/08

By: [Signature]

Print Name: Jeremy B. DeBonet, Counsel
Title: Partner, Cook County, IL

PLAINTIFF:

3RD DIMENSION, INC

Dated: 4/24/08

By: [Signature]

Print Name: Christine Bastien
Title: of Counsel, DLA Piper U.S. LLP

ORDER

Based upon the recitals and stipulation of the parties, and good cause appearing therefore,
IT IS ORDERED THAT:

Defendants are hereby dismissed without prejudice from the Complaint pursuant to
Rule 41(a) of the Federal Rules of Civil Procedure.

The Court shall retain jurisdiction to enforce any arbitration award issued by the
Arbitrator in the Arbitration Proceeding or to enforce the terms of any settlement agreement that
may be reached by the parties.

DATED: April 28, 2008

[Signature]
The Honorable Naomi Reice Buchwald
UNITED STATES DISTRICT COURT JUDGE